



WITH THE FLOW

Volume 2 No. 2
Mar 19, 2018

Monthly Message

Spring is here so I hope we are all starting to feel the sense of renewal and growth that the new season will bring. I always liked the idea of spring cleaning (even though I didn't always take part in it.... sorry Mom) because it offers the opportunity to not only clean up the winter's debris, but also to rid yourself of stuff that you have hung on to for far too long. As that applies to the present, I see it as an opportunity to change the way things have been done here for a long, long, time. Of course, we are at the start of the second full year in which a re-constituted board has aggressively stressed a policy, in a positive way, of: "it's broke, fix it." That policy has resulted in very substantial changes in our operations and procedures with many more to come. On that point, my guess is that the Board would say that change hasn't come fast enough, that management can do better in carrying out board policy and reaching a point of operational effectiveness that meets or exceeds that of any other similar institution in the area. I certainly share that goal and remain committed to my agenda of maximizing the utilization of technology, system-wide training and team building as the three keys to organizational excellence.



One area that the Board has identified and continued to focus on with the "fix it" approach is employee overtime. While the Board recognizes the necessity of overtime on a case by case basis, they have identified more than a few specific, and recurring, instances where one pretty much must conclude that the overtime being charged was far more to the benefit of an employee than to the employer. While noting that the



total 2017 overtime dollars paid were reduced by \$140,000 from the 2016 overtime amount, there are still savings to be achieved. At the Board's direction we have started a new practice in which newly appointed Director of Operations Bob Drury and Jim Perry, along with appropriate line supervisors, conduct a daily overtime review and are collectively looking at a wide range of actions designed to lead to more effective ways to complete work on straight time. Acknowledging the Board's overriding interest in this issue, I'm sure Bob, Jim and their colleagues will keep up a sharp focus – until consistent procedures and uniform practices are wholly implemented to the point that we can confidently state that overtime paid is for overtime worked. I should add that overtime paid is in fact earned by many of the hardworking men and women of this institution and their extra effort is always appreciated.

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Part of the on-going leadership development program that was initiated last year involves studying, reviewing and learning the habits contained in Steven Covey's "The Seven Habits of Highly Effective People". The first habit is "be proactive", meaning, to me, that we should use resourcefulness and initiative to find solutions rather than just reporting problems and waiting for other people to solve them. Proof of our "proactivity" during the last year, I can say with confidence, includes, but is not limited to:

- Resolution of long delayed union contracts
- The introducing of the multidimensional Hydrant Truck
- Vehicle tracking and maintenance
- Work order management (everybody loves Lucy and New World, right?)
- Hydraulic modelling to facilitate needed leak detection
- A communications strategy to keep the workforce and public informed through this periodic newsletter and a focused public information campaign

- Comprehensive training for licensing purposes and general job performance
- Increased emphasis on grant writing
- Cooperation with the city of Niagara Falls at the level of the mayor, the chief of police and fire commissioner as well as the City Engineer and the staff of the Engineering Dept.
- An increased and in-depth focus on safety and security with recommendations and improvements initiated, in progress, and to be announced.

Of course, another area that has required much proactivity is the carrying out of the myriad tasks identified in the Consent Order that was negotiated with the DEC after the summer of 2017 incidents at the WWTP. As has been previously reported, we have been allocated \$500,000 through the NYS Environmental Facilities Corporation for specific engineering studies identified in the consent order. The studies have now begun with the identification of 17 key tasks. The team assembled to address these complex and myriad issues includes consultants from the engineering firms of GHD, AECOM, and Clark Patterson Lee. To date, I am very satisfied that the work performed has been carried out with the highest degree of professional competence and in the best interests of the NFWB and I look forward to working with the team in creating and implementing lasting solutions to the issues identified in the Consent Order. ■

Review and Update

47TH STREET MAIN REPLACEMENT

The project is now fully complete and the pressures in the system are higher than they've ever been. Our crews and the outside contractor worked together to restore service as fast as could have been humanly possible. ■



HYDRANT REPAIR

Due to the new hydrant truck routinely checking/winterizing hydrants this winter, during the entire season only two hydrants were found to be frozen and were immediately thawed. For further details on the hydrant repair and replacement project see the report from Bob Drury on p.8. ■



PROGRESS MEETING AGENDA



Left to right, Jeff Konsella, Rob Locey. Not shown: Denine Jackson

Project: Niagara Falls Water Board Consent Order
Date/Time: February 9, 2018 at 9.00 a.m
Location: NFWB Water Treatment Plant Conference Room.

AT the DEC meeting of February 9, 2018 NYS DEC representatives Denine Jackson, Jeff Konsella and Rob Locey listened intently and offered thoughtful suggestions on a variety of topics including: our computerized O & M Manual, December 2017 Consent Order issues, the pending LaSalle Consent Order and planned NFWB capital projects. ■

Employee Profile: The IT Services Team

Enthusiasm doesn't need to be of the jump and shout cheerleader type. It can take other forms, such as quiet confidence, the prompt and efficient discharge of responsibilities and taking the initiative to identify problems and making appropriate adjustments in advance of a harmful or costly incident. A willingness to learn and a capacity to acknowledge that a person doesn't know something also qualifies, with me, as a sign of enthusiasm for one's job. It is these characteristics, admittedly observed over a very short time, that are readily seen in the NFWB's Information Technology Services Team.

Now, of course, as even a casual reader of this newsletter would quickly acknowledge, the maximization of technology, along with leadership and training, constitute my core objectives as Executive Director. So, it should come as no surprise to anyone that my expectations of the IT team are high. The team knows that they are viewed as more than the guys who reboot the system or come to your desk to install new software. Although they perform these tasks, they're far more vital to the success of our organization and complete many more tasks behind the scenes than you might be aware of. Maintaining parameters for working units and individuals' use of IT systems, architecture, and networks, installation and maintenance of computer network systems and crisis planning and training for implementation should the system go down are just a few of the critical responsibilities assigned to them.



James Brixius, Carl Hubler and Joe Morock

James Brixius possesses a degree in electrical engineering and an MBA, both from SUNY Buffalo. He brought along a depth of IT experience when he joined NFWB last August and has utilized that experience in helping to chart the way forward for the IT Services Team. And, to no small extent he is helping chart the future of this organization in terms of using the technology available to us, recognizing what we need that we don't have, and, of very significant importance, keeping things running smoothly while the future unfolds. Jim's low-key demeanor no doubt serves him well when dealing with friendly members of our work force who want something now, "right now!"

The IT Team consists of
James Brixius, Lead Systems Engineer,
Carl Hubler, Network Technician and
Joe Morock, Systems Engineer.

He professes to be an outdoors type yet lives in downtown Niagara Falls. So, what's a bike-rider, jogger, and occasional archer doing in a city high rise? Jim explains that it's not that incongruous, he jogs frequently at nearby Goat Island, and bike trails (he has a mountain bike and a racer) are easily accessible. As for archery, he's a member of the Niagara County Sportsmen's Association and occasionally avails himself of the club's facilities at the Niagara Escarpment. Although he can see the mist of the Falls from his apartment along with a view of the Skylon Tower across the border, he nevertheless savors a yearly family vacation to Quaker Lake at Allegany State Park.

Along with having primary responsibility for the administration of New World, Share Point and Microsoft Project, figuring out license issues and a range of other tasks, James maintains the long view of the role of technology at NFWB. While he understands how each system in place works and the interaction and coordination needed to ensure that these systems remain operational always, he accepts the challenge of being proactive and looks to a future with a speedy fiber optic connection between treatment plants, expanding the use of Lucy (see Carl Hubler, below) and a range of tech upgrades, additions and replacements. I look forward to his continued dedication and commitment to his role and the conquering of "New World" [s].

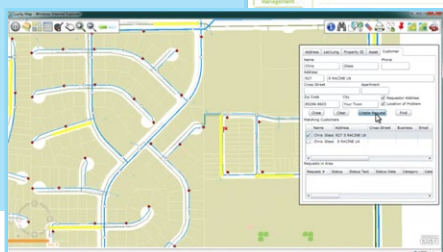
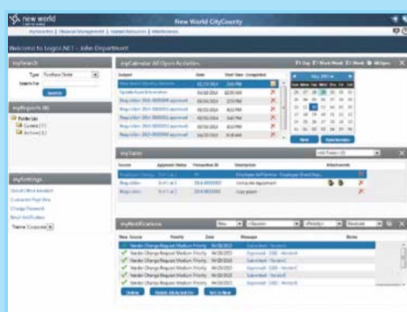
Anyone who saw Carl Hubler present at the DEC progress meeting at the O'Laughlin board room on February 9th of this year would immediately sense his passion for instilling the merits of Lucy - the computerized maintenance management software system - in those who are expected to use it and his obvious desire to properly train (and monitor) each user. It was an impressive demonstration that not only revealed Carl's deep grasp of the complexities of the software, but his obvious ability to patiently aid others in the learning process. Indeed, a quick survey of several employees confirms the view of Mike Eagler that Carl "listens to you until he fully understands what it is that you need", then he does his best to help you get to where you need to be.

It might be Carl's varied background that has so well prepared him for such a role; a background that had its challenges on both the personal/family and work levels. The jobs have varied across a wide spectrum, raised in a family that owned a hunting and fishing store, he often helped from an early age. He joined the Army upon graduation from the last class to graduate from the fondly remembered LaSalle Senior High School and spent a total of eight years in uniform, the last five in the National Guard.

Stints as a carpenter for Wegman's, work for a plumbing contractor and an ATM installation business each added to Carl's widening skill set. Along the way Carl studied and graduated from ITT Tech.

Outside of work however, a family health issue may have provided the greatest test of his strength and resolve. At age 7, in 2014, Carl's daughter Skyla was diagnosed with a rare form of leukemia, starting a nearly 3-year process of treatment at Roswell Park Cancer Institute and Children's Hospital, with frequent stays at the Ronald McDonald House. Treatment included two bone marrow transplants. Since much of this time found Carl on the road for the ATM installation company, and being the single parent of two other children, daughter Autumn, now 18 and son Gage, now 17, it was, to say the least, a trying time for all. But the strong survive. Carl and his children, including the now healthy and thriving Skyla, juggled responsibilities, shared duties and managed their lives so that each was able to successfully navigate through the difficult time and can now look back on it as a defining moment of a caring family.

While Carl's official "Position Description" is Network technician, the more accurate title would be "Network/Software Technician" or Lucy Administrator. These titles would reflect his quickly gained grasp of the software that enables NFWB to meet requirements for the management of assets, customer service work orders, preventive maintenance, resources and inventory, best practices and regulatory compliance, among other reporting and recording demands. He wants to be "on the spot" as much as so possible so he recently set up a second office at the WWTP. He will keep his current office but will spend significant time at the waste-water facility.



Carl shares the vision of James Brixius that a key objective of the IT Services Team must be to shift our organizational culture from one of a reactive posture to one of a preventative posture. He makes it clear that the tools of tech change rapidly and that if you hesitate on needed upgrades, you fall behind.

Meanwhile, Carl has secured a VA home loan and is planning to undertake a new build soon. He'll make sure to have room to store his boats (16' and 10') and to be ready to head out fishing or deer hunting with the kids as often as possible.

Although the combined service time of the entire three-man IT team is less than two years, you still must have a "new hire", in this case Joe Morock, Systems Engineer. Joe brings a refreshing enthusiasm to his job, quickly dispelling what he considers to be a false and unfair characterization of "techie" as geeky nerds. Whether he projects the "normal guy" persona is a subjective matter, but by all appearances he seems to be making his point.

Joe lives in the leafy Deveaux neighborhood of Niagara Falls with his wife, a behavioral health clinician at Horizon Health Services, and their three children, daughter Zofia, age 7, and boys Luca and Eli, ages 5 and 4. The family leads an active life, with the children attending the nearby Maple Avenue School and all keeping busy with dance classes, youth sports and family outings.

Joe is proud that he "came from the city" and is now "of the city." In other words, he's a Niagara Falls booster. Some might say that's a group with a low membership, but Joe is undeterred, he truly believes in Niagara Falls and is committed to "giving back." He rejects the idea of those that "give up and leave" and scoffs at the perpetrators of an overriding negativity that weighs the city down.

Joe came to NFWB with a solid tech background. Early on he worked for Synergy Glogal Solutions in Amherst taking tech trouble shooting calls. Even before that, as a per-teen, due to an uncle who worked at a local utility who would often bring home discarded computers and other electronics, Joe and a cousin would spend hours figuring out how various parts went together. Basically, they remanufactured the cast-offs. Joe says this experience caused him to realize that he could visualize a problem, and imagine a fix, by "seeing the process in his head." Sounds like the best training possible for a tech career. Joe graduated from ITT Tech in 2004 with Highest Honors and was voted by his peers into the National Technical Honor Society. He then worked for internet retailer "finditquick.com" before becoming employed by the city of Niagara Falls, where worked eight years, culminating in service as Information Technology Director.

Joe has a defined role as a Systems Engineer, but as a practical matter he is involved in all aspects of the team's activities. He willingly helps James and Carl on anything either may ask of him. He has taken on direct responsibility for a handful of policy area such as on-boarding new employees and file sharing protocols. He is the frontrunner on developing Internet usage guidelines including social media platforms. He is working on cell phone access issues and the email system. He also tracks assets allocation and coordinates work flow, as well as maintaining records management and general systems safeguards.

Joe Morock echoes his colleagues James Brixius and Carl Hubler in pointing out that there are no exclusively "siloes" office responsibilities. He describes the view of all three IT Team members as being that they are three guys who get along very well, trust one another and share the objective of always doing the best job possible. From a management perspective, having a key department that is responsive, quality-driven and resourceful provides stability and continuity that bolsters and improves the entire organization. ■



Where Are We Now? by Jim Perry



Since I have been told more than a couple times the articles I have been writing need to be shortened up, I thought I would take a break and make this one a little more personal and shorter. It is somewhat reflective; given this is the anniversary of my emergence from retirement to take

this position with the Water Board. I know I have made a few enemies here but that tends to come with the profession I have chosen, or should I say chose me, but it has been more than a couple of decades and I think it worked out OK for me.

In this past year we have overcome some major hurdles and we have started to change the culture of an organization that was still very much entrenched in an older way of doing things. I still hear, from time to time “this isn’t the way we’ve done things in the past.” But organizations are like people in some ways. You must grow and advance yourself or you become obsolete and irrelevant in today’s world.

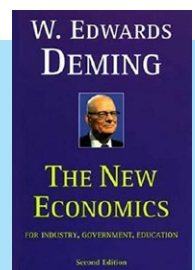
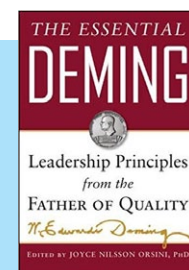
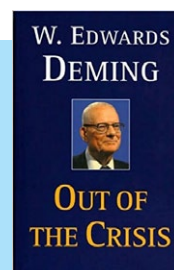
When I came here, it was not with the intent to make life more difficult for people. It was, rather with an idea that I could help a disheartened workforce and bring about a more modern and professional culture. Some people resent that, others embrace it. Some people have a view that life was better “in the old days” but they tend to recall life with a selective focus. Nevertheless, we are still not where we need to be.... we need to embrace change, not fight it.

In a previous edition we went through many accomplishments we’ve had over the course of the last year. I am not interested in rehashing that all over again, but I did want to look at where we have come from through the eyes of an industrial development (ID) specialist.

Successful organizations, like successful people, must continue to grow, develop and modernize themselves. We have brought new technologies to the Water Board over the past year that some say we do not or did not need. It may be difficult from other perspectives to understand a need for some technology but, as a rule, business does not spend money where it is not needed for one reason or another. Management needs to make decisions based on facts and data. Without the technology this becomes more difficult, so we must continue to grow and advance using the technology that we have available to us.



For a better understanding on how we need to use data and technology for the advancement of business and for society overall, I would suggest reading the teachings of W.E. Deming. If management is going to make sound business decisions, then you need to have good statistics to do that. William Edwards Deming provided the tools and theories on management that revolutionized Japanese industry, so that island nation could compete with the industrial might of the US after WW II. Until next time - work safe and smart! ■



Understanding the Law on Sewer Surcharges, by Sean Costello, General Counsel



With melting snow and heavy spring rains there is a possibility that one or more ratepayers will be reporting flooded basements in the near future. While we are all sympathetic to this type of loss, in most cases the Water Board is not legally responsible for the damages, which is why we encourage ratepayers to purchase property insurance with water backup coverage.

Most backups resulting from too much rain or melting snow occur because portions of the sewer system are “surcharged,” meaning that inflow and infiltration of water exceeds the sewer’s design capacity. The pipes are not large enough to carry away all of the water that is entering the system at a given time, and water fills the mains and homeowners’ connected sewer laterals. On rare occasions, this water rises high enough to flow into basements through drains. Once the rain lets up, the sewer mains are able to drain, and water usually drains from the basement.

A surcharge situation – which is the subject of this article – is different from when a main backs up due to an obstruction, in which case the basement typically will not drain until the obstruction is removed. The Water Board’s outside crews pursue aggressive maintenance – such as sewer flushing and chemical treatments to remove roots – to prevent those types of issues.

When a backup occurs because the sewer pipes are not large enough to carry away all of the water that is entering the system, the Water Board, a municipal entity, is not

liable for the resulting damage. This reflects the reality that when the sewer mains were installed, discretionary decisions had to be made regarding the size of those pipes, including considering costs, anticipated usage, and engineering challenges of a larger system.

Thus, New York courts have held that an allegation of “flooding caused by the backflow of a sewer system, standing alone, is insufficient to maintain an action against a municipality to recover damages for injury to property.” *Linden Towers Coop. 4, Inc. v. City of New York*, 709 N.Y.S.2d 825, 825 [2d Dep’t 2000]; see also *Biernacki v. Village of Ravena*, 664 N.Y.S.2d 682, 683 [3d Dep’t 1997] (No liability where “claim relates to an influx of rain water through their basement floor and walls during periods of severe and protracted rain such that the municipal storm sewers are overwhelmed . . .”); see also *Fireman’s Fund Ins. Co. v. County of Nassau*, 887 N.Y.S.2d 242 [2d Dep’t 2009] (In claim that arose “after sewage effluent flooded the residence . . . during the course of a severe storm” the “municipality is immune from liability ‘arising out of claims that it negligently designed the sewerage system.’”) [citations omitted]. This is the case because “a municipality is not an insurer of its sewer system and cannot be held liable for injury unless it is shown that the injury was caused by active negligence in the maintenance of the system.” *Azizi v. Village of Croton-on-Hudson*, 914 N.Y.S.2d 232 [2d Dep’t 2010], citing *De Witt Properties, Inc. v. New York*, 406 N.Y.S.2d 16 [1978].

It is the last sentence of the preceding paragraph that I would like to emphasize. The Water Board owns and operates the sewer system, but it does not insure property owners against loss when the way that the system was designed results in damages. That is why insurance companies offer water backup coverage, and why we recommend that everyone consider purchasing that coverage from their property insurance company. ■



Report from Bob Drury, Director of Operations



I'd like to express my gratitude to the NFWB Board for recently appointing me as the Director of Operations and for the confidence they have shown in me. I look forward to working with the Executive Director and others in carrying out a shared mission of doing the best job possible for our ratepayers and the city of Niagara Falls.

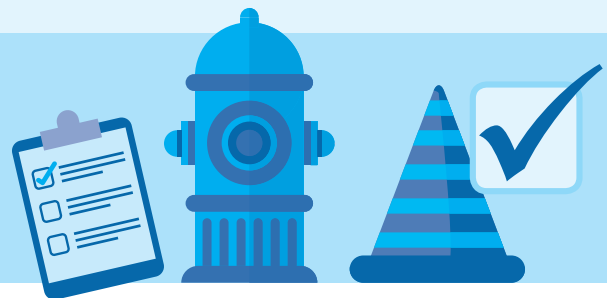
While I consider my background in law enforcement, executive leadership and organizational management as providing me with the essential tools to manage the day to day operations that I am assuming responsibility for, as in any position, there is a learning curve period where one gets to really know the people he will be working closely with and the priorities that should be addressed. I feel I'm well into the learning curve... including an understanding of the finer details of the water and waste-water "industries". My overriding initial impression is that we have a dedicated workforce that has, in some areas, lacked adequate motivation and incentive to "row together" in a cooperative and mutually beneficial arrangement. The NFWB Board and the executive staff have worked hard to turn around that perception and I am committed to doing my part to continue that process.

Meanwhile, there are several areas that I will be focusing on in the months ahead that I believe deserve special attention and upon which I will, from time to time, take the opportunity to report to the readers of "With the Flow."

One area that the Board identified last year and in which significant progress has been made is that of hydrant repair and replacement. This initiative provides a good example of the new cooperative workforce environment can be found in the short history of the Board's directive of 2017 on fire hydrant replacement and repair. Executive Director Porter commented in his message in this newsletter on the valuable addition of the multidimensional Hydrant Truck in insuring proper hydrant maintenance; that truck represents an investment by the Board that will benefit this organization for years to come.

As for other aspects of the hydrant repair and replacement program, I'd like to recap developments over the last 10 months or so. Thus far, there are several overriding take a-ways from the program:

- Bill Wright, recently promoted to the position of Superintendent of Operations, did an exceptional job of managing the program every step of the way.
- Bill received outstanding support from Mike Eagler and the outside crews; Eagler aggressively pursued the process of identifying non-working hydrants and supervising the on-site replacement work. Of course, as is Mike's style, he often goes beyond supervision and gets right into a "fixit" mode.
- Cooperation with the city of Niagara Falls Fire Dept has never been better.
- Public safety has improved through the substantial reduction in the number of non-working fire hydrants.



In terms of the details of the task, last year 152 hydrants were identified for replacement or repair and, as of March 16 only 28 remain to be attended to. A full statistical report will be published here next month.

Finally, although the remarks below have been published elsewhere, I think it is important to repeat them here so that the readers of this newsletter can fully appreciate the difference that is being made at the Board and executive level with a shared commitment to doing the best job possible. For example, NFWB Chair Dan O'Callaghan said the Board has "made it a top priority to fix as many hydrants as possible and we have been extremely successful in doing so." He added, "after years of neglect, we have fixed or replaced more than 100 hydrants over the last several months, with a goal of finishing up this effort by the upcoming summer." In response, Thomas Colangelo, chief of the city's fire department, said the number of non-working hydrants in the falls has been at least "cut in half," which has "drastically" improved the operations of the department during structure fires. He concluded: "This vast transformation is due in no small part to new and proactive leadership at the Niagara Falls Water Board. We thank them for their commitment to the people of Niagara Falls and look forward to continued partnership in the future." ■



Correspondence, Publications, Misc., etc.

WTP DOH 2017 ANNUAL INSPECTION

From: Rolfe Porter [mailto:rporter@NFWB.org]
Sent: Thursday, February 15, 2018 6:00 PM
To: Distribution

Subject: WTP DOH 2017 annual inspection

On December 6, 2017 the Niagara County Department of Health conducted its annual Public Water System Inspection at NFWB. DOH Annual inspection (Sanitary survey). A relevant section states:



NIAGARA COUNTY DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH DIVISION
5467 Upper Mountain Road, Suite 100
Lockport, New York 14094-1894

RE: Niagara Falls Water Board Public Water System Annual Inspection

"This annual inspection of the water supply indicates that the overall system operation is satisfactory. The general level of maintenance, record keeping, and housekeeping at the treatment facility is considered to be excellent and your staff's efforts in this regard are appreciated."

Congratulations and thanks to Rob Rowe, his operations staff, Joe Argona, his maintenance staff, Pat Fama, his lab staff, Bill Wright, all outside crews that have collaboratively helped keep the water flowing, Randy Burns, cross control, Gina Senia, Vulnerability Assessment and Emergency response plan. -Rolfe Porter

FROM THE DESK OF RALPH AVERSA

To: Nick Forster, member,
Niagara Falls Water Board
From: Ralph Aversa
Subject: Water Main break

Nick,

I wanted to say thanks for the unbelievable response from the NFWB to the water main break in front of my home yesterday morning at Madison and College Ave. and to extend my appreciation to all that were involved.

When I was the Director at the Water Board I was often the first responder after hours, so I know that to get a crew out there on a weekend so quickly is very commendable. The crew on the scene acted very quickly to shut down the line, make the needed repair to the pipe and get the road ready for vehicle use.

Great job by all.

Best regards,

RJA

BUILDING AMERICA'S FUTURE



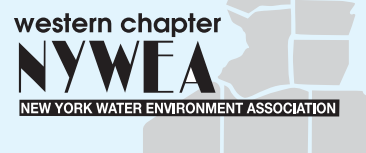
This organization highlights infrastructure policy – including funding for water and waste water projects - that is forward-thinking and comprehensive in scope, yet grounded in the need for environmental sustainability, lower carbon emissions, and reduced U.S. dependence on foreign oil. Hopefully, 2018 federal infrastructure funding legislation will adequately address these needs. For more information see: <http://bafuture.org/key-topics/water>.

PRESENTATION BY DR. JOHN GODDERTZ

Thirty-Sixth Annual
Greater Buffalo
Environmental
Conference

Tuesday, March 20, 2018

Hosted By:



9:40 - 10:30 a.m.

Technological Limitations of the Niagara Falls Wastewater Treatment Plant
Subtitle: What color would you like the effluent to be?
John Goeddert, AECOM

TOURS OF THE WWTP



Chairman O'Callaghan and Board Member Forster have been conducting periodic tours of the WWTP, here is their impression from the latest tour taken on 3/12:

From: "Nick Forster" <forsternick@yahoo.com>
To: "rdunn@nfwb.org" <rdunn@nfwb.org>
Sent: Mon, Mar 12, 2018 at 3:01 PM
Subject: Tour WWTP

Bob,

Please extend our gratitude to both operations and maintenance staff of the WWTP, for exceptional improvement in overall plant repair and operational needs. It's very clear, the WWTP has finally turned the corner in both aspects.

Dan and I agree, it's vastly improved, by a margin of eighty-five percent better than our last tour.

Keep up the good work.

Dan O'Callaghan
Nick Forster

VALENTINES AT O'LAUGHLIN



Left to right, Lisa Landers, Jessica Basher, Ashley Stogner

Feedback

As always, your comments or suggestions on the subjects in this newsletter or other areas of interest are welcome and encouraged. Please contact me via email, phone or stop in to my office, if I'm not there say hello to Erika and make an appointment to come back and see me.

Thank you and best regards,

RP

